

Date: 11/03/1998

Attn: VIOLENT CRIMES

Section

For FBI Field Office use only  
CM# 4024

From: SAC, PITTSBURGH (89A-PG-64410-ELA-1)(P)

Title: [redacted] aka

ET AL;  
JOHN P. MURTHA-MEMBER OF CONGRESS  
CCSCAKA-THREAT

Notification of SAC Authority Granted for Use of  
CONSENSUAL Monitoring Equipment

(Check only one)

Routine Use  
 Emergency Use-Sensitive Circumstances (cannot exceed  
30 days & May be extended only by FBIHQ).

This form must be typewritten & submitted within 10 working days of  
the date authority is granted as shown in Item 5 below.

1. Reason for Proposed Use: (Check)

Corroborate  Protect  Protect Government Evidence  
Testimony Consenting Party  Collect Evidence

Other (Specify) \_\_\_\_\_

2. Type of Equipment: (Check)

Transmitter/Receiver  Concealed Recorder  
 CCTV/Audio & Video  CCTV Video only  
 Microphone  Telephone  
 Other (Specify) \_\_\_\_\_

3. Consenting Party (Identify ONLY on Field Office Copy)

Nonconfidential Party  
 Confidential Source  
 Cooperative Witness

4. Interceptee(s): (Include Title if Public Official)

[redacted]

& others as yet unknown.

5. Duration of Proposed use:

Authorized On: 10/29/1998

For the duration of investigation

For 30 days (Emergency NTCM usage)

Expiring On: \_\_\_\_\_

6. Equipment Concealed:

In a Motel Rm.  In a Telephone  
 In a Residence  On a Person  
 In a Vehicle  Other (Specify) VOICE MAIL

7. City & State where Equipment will  
be used: JOHNSTOWN, PA

8. The following mandatory requirements have been met:

Consenting party has agreed to testify;  
 Consenting party has executed a consent form; &  
 Recording/transmitting device will be activated  
only when consenting party is present.

9. Government Attorney in judicial district where monitoring and/or  
recording will take place has been contacted; foresees no entrapment;  
& concurs in the use of the technique.

Yes  No Date of Contact: 10/30/1998

Identity of Govt. Atty: AUSA

Judicial District: WDPA

b6

b7C

10. Violation(s): Title(s) 18 Sec(s) 115(a)(1)(B) USC

11. DOJ notification required  Yes  No. If "Yes" check reason below:

NOTE: Requests for Routine NTCM usage involving any of the 7 sensitive circumstances requires a teletype to HQ prepared in the format described in the MIOG, Part II, Section 10-10.3(8). Request for Emergency NTCM usage involving item 6 below requires immediate contact with the FBIHQ substantive desk for DOJ approval. The 7 sensitive circumstances do not apply to the use of CCTV video only.

1.  Interception relates to an investigation of a member of Congress; a Federal Judge; a member of the Executive Branch at Executive Level IV or above; or a person who has served in such capacity within the previous 2 years.  
2.  Interception relates to an investigation of any public official and the offense investigated is one involving bribery; conflict of interest; or extortion relating to the performance of his/her official duties.  
3.  Interception relates to an investigation of a Federal law enforcement official.  
4.  Consenting/nonconsenting party is a member of the diplomatic corps of a foreign country.  
5.  Consenting/nonconsenting party is or has been a member of the Witness Security Program and that fact is known to the agency involved or its officers.  
6.  Consenting/nonconsenting party is in the custody of the Bureau of Prisons or the U.S. Marshals Service.  
7.  Attorney General; Deputy Attorney General; Associate Attorney General; Assistant Attorney General for the Criminal Division; or the U.S. Attorney in the district where an investigation is being conducted has requested the investigating agency to obtain prior written consent for making a consensual interception in a specific investigation.

12. Synopsis of Case: (Attach additional page if necessary)

On 12/3/97, [redacted] in a telephone conversation with an insurance agent regarding a disputed claim, threatened the life of the insurance agent and Congressman Murtha, among others. [redacted] initially transported by local police department to a local hospital for psychiatric evaluation. [redacted] subsequently prosecuted by local authorities regarding the threats directed toward the insurance agent, and on 9/2/98, was convicted in a jury trial. On 10/15/98, [redacted] was sentenced on the state charges to five years probation and ordered to undergo mental health evaluation. On 7/8/98, [redacted] was convicted in federal court in a jury trial of the threats directed toward Congressman Murtha. Sentence pending in federal court.

13. Justification statement necessitating emergency authorization:

Emergency 30 day authorization granted due to imminent need (within 48 hours) for use of consensual monitoring device(s), which precluded the handling of this request in the usual manner.  
 Other (Attach Additional Page to Specify) Serialized [redacted]

Field Approval

14. CDC (if applicable) \_\_\_\_\_ e: \_\_\_\_\_  
Signature \_\_\_\_\_

15. SSA/SAC \_\_\_\_\_ e: 10/29/98  
Signature \_\_\_\_\_

FBIHQ Approval \_\_\_\_\_

16. Unit Chief (if Sensitive Circumstances Exist)  
Signature \_\_\_\_\_ Date: \_\_\_\_\_

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(Office ELA Case Subj) [redacted]  
Filed [redacted] CR

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